



## Inspection Report

SHERRIE ZUSPANN

Customer ID: **4333**

Certificate: **43-A-0707**

Site: 001

SHERRIE ZUSPANN

20597 POTTER RD

Type: ROUTINE INSPECTION

KIRKSVILLE, MO 63501

Date: Jun-19-2010

### 2.126 (a) (1)

#### ACCESS AND INSPECTION OF RECORDS AND PROPERTY.

Section 2.126(a) - Access and inspection of records and property: A responsible adult shall be made available to accompany APHIS officials during the inspection process.

The facility had a responsible person available to conduct an animal welfare inspection at 7:24 am on 06/19/2010. The facility refused to allow APHIS inspectors to conduct the Animal Welfare Inspection. Refusal to allow inspection is a serious violation of the Animal Welfare Act.

Inspectors arrived at the facility to deliver previous report and reinspect facility. The licensee told us to leave her property. Inspector asked her if she was refusing to allow us to access her property for inspection. She stated that she was. Inspector told her that we had unfinished business and that it was very serious to refuse access. She stated that she was refusing. The licensee then voluntarily surrendered her license. Inspector reminded her that without a license she can no longer sell to pet stores or brokers. She stated she did not intend to.

This attempt to inspect was conducted by Katheryn Ziegerer, VMO, Jan Feldman, ACI, and Katherine Lies, Investigator. This report was sent by both regular and certified mail.

#### Prepared By:

KATHERYN ZIEGERER, D.V.M. USDA, APHIS, Animal Care

Date:

Title: VETERINARY MEDICAL OFFICER Inspector 5052

Jun-19-2010

#### Received By:

(b)(6),(b)(7)(c)

Date:

Title:

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## Inspection Report

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Customer ID: 4333

Certificate: 43-A-0707

Site: 001

SHERRIE ZUSPANN

20597 POTTER RD

Type: ROUTINE INSPECTION

KIRKSVILLE, MO 63501

Date: Jun-17-2010

### 3.2 (a) DIRECT NCI

#### INDOOR HOUSING FACILITIES.

Sec. 3.2 Indoor housing facilities. (a) Heating, cooling, and temperature. Indoor housing facilities for dogs and cats must be sufficiently heated and cooled when necessary to protect the dogs and cats from temperature or humidity extremes and to provide for their health and well-being. When dogs or cats are present, the ambient temperature in the facility must not fall below 50 [deg]F (10 [deg]C) for dogs and cats not acclimated to lower temperatures, for those breeds that cannot tolerate lower temperatures without stress or discomfort (such as short-haired breeds), and for sick, aged, young, or infirm dogs and cats, except as approved by the attending veterinarian. Dry bedding, solid resting boards, or other methods of conserving body heat must be provided when temperatures are below 50 [deg]F (10 [deg]C). The ambient temperature must not fall below 45 [deg]F (7.2 [deg]C) for more than 4 consecutive hours when dogs or cats are present, and must not rise above 85 [deg]F (29.5 [deg]C) for more than 4 consecutive hours when dogs or cats are present. The preceding requirements are in addition to, not in place of, all other requirements pertaining to climatic conditions in parts 2 and 3 of this chapter.

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The temperature and humidity levels in the interior of the trailer building housing dogs was extremely high. Both inspectors were extremely uncomfortable and sweating profusely. The dogs were panting heavily and exhibiting behavioral signs of heat stress. At the beginning of the inspection, the temperature was 90.5 degrees F. Due to the high humidity, the heat index was between 113 to 115 degrees F. At this time a window air conditioner unit was running at its coldest setting and the windows and door were closed. Although the air conditioner was running, the air coming out of the unit was not cold. The licensee opened the windows and doors. After inspecting the other building, the inspectors returned to the trailer to remeasure the temperatures. When measuring at the enclosures by the doors, it was between 85.9 and 86.1 degrees and the humidity was 83% with a heat index of 102.7 to 103 degrees F.

This high temperature and heat index was causing obvious discomfort to the animals. The animals were showing a variety of symptoms of heat stress through their behavior. High temperatures can cause stress and illness in the animals. The licensee must ensure that the ambient temperature do not rise above 85 [deg]F (29.5 [deg]C) for more than 4 consecutive hours when dogs are present.

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The licensee was verbally instructed to correct this non-compliant item by 5:30 pm today.

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## Inspection Report

### 3.2 (b) REPEAT DIRECT NCI

#### INDOOR HOUSING FACILITIES.

Sec. 3.2 Indoor housing facilities. (b) Ventilation. Indoor housing facilities for dogs and cats must be sufficiently ventilated at all times when dogs or cats are present to provide for their health and well-being, and to minimize odors, drafts, ammonia levels, and moisture condensation. Ventilation must be provided by windows, vents, fans, or air conditioning. Auxiliary ventilation, such as fans, blowers, or air conditioning must be provided when the ambient temperature is 85 [deg]F (29.5 [deg]C) or higher. The relative humidity must be maintained at a level that ensures the health and well-being of the dogs or cats housed therein, in accordance with the directions of the attending veterinarian and generally accepted professional and husbandry practices.

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The temperature and humidity levels in the interior of the trailer building housing dogs was extremely high. Both inspectors were extremely uncomfortable and sweating profusely. The dogs were panting heavily. The lens of the camera was steaming over. At the beginning of the inspection the humidity was measured at between 72 and 75%. The temperature was 90.5 degrees F. The heat index was measured at between 113 to 115 degrees F. At this time a window air conditioner unit was running at its coldest setting and the windows and door were closed. Although the air conditioner was running, the air coming out of the unit was not cold. The outdoor temperature at the time of the inspection was 87.7 degrees F, humidity was between 69 and 70%, and the heat index was between 100.5 and 100.8 degrees. The licensee opened the windows and doors. After inspecting the other building, the inspectors returned to the trailer to remeasure the temperatures. When measuring at the enclosures by the doors, it was between 85.9 and 86.1 degrees and the humidity was 83% with a heat index of 102.7 to 103 degrees F. There was an extremely strong odor in the trailer building. This odor was ammonia, waste, musty and overwhelming upon immediate entry into the building.

This high heat index, humidity level, and odor in the buildings was causing obvious discomfort to the animals. The animals were showing a variety of symptoms of heat stress through their behavior. The inspectors sequentially numbered the enclosures in the order they were inspected.

--Pen#1 housed two dogs (021-063-895 and 096-344-577); they were both panting heavily with their tongues greatly extended and pacing in their enclosure. One of the dogs was observed digging repeatedly in the corner of the enclosure.

---Pen #2 housed two dogs (024-120-822 and 024-127-048); they both had their mouths in a moderately wide position and were panting heavily.

---Pen #3 housed 1 dog (092-583-084); it had its mouth open in a moderately wide position and was panting and pacing in its enclosure. It also would stand up and paw at the corner of its enclosure.

---Pen #4 housed 3 dogs (076-066-595, 021-007-052, and 038-771-895); 076-066-595 was panting very heavily with its mouth widely open. 021-007-052 was lethargic, laying down with its head on the floor of the cage, and did not move much in response to calls and whistles from the inspector or when stepped on by cage mates.

---Pen #5 housed 2 dogs (093-325-520 and 4A7F7D3A20); both of these dogs had their mouths moderately wide position and were heavily panting.

---Pen #6 housed 1 dog (4A7F7253A); this dog had its mouth opened in a moderately wide position and panting heavily with their tongues extremely extended.

---Pen #7 housed three dogs (096 052 340, 102 299 343, and 100 036 376); 096 052 340 was laying

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## Inspection Report

down and did not move much in response to calls and whistles from the inspector or when stepped on by cage mates. 100 036 376 was pacing in the enclosure with a widely opened mouth and panting heavily.

---Pen #8 contained 2 dogs (038-804-601 and 096-343-561); both dogs' mouths were open widely with their tongues greatly extended. One dog was observed pawing at the corner of the cage.

---Pen #9 housed 2 dogs (012-334-795 and 101-631-553); 012-334-79 this dog did not move much in response to calls and whistles from the inspector or when stepped on by cage mates. 101-631-553 was pacing with a wide mouth, heavily panting, with its tongue extended.

---Pen #10 housed 1 dog (073-015-075); this dog was laying down, not active and looking around but did not move much.

---Pen #11 housed 2 dogs (098-785-332 and 096-322-570); these dogs had their mouths open in a moderately wide position and panting heavily.

---Pen #12 housed 3 dogs (098-778-257, 098-613-834, and one with no ID); these dogs were pacing, with widely opened mouths, panting heavily with their tongues extremely extended and curled.

High humidity, heat index, and odors from ammonia and waste can cause stress and illness in the animals. The licensee must ensure that indoor housing facilities for dogs are sufficiently ventilated at all times to provide for their health and well-being, to minimize odors, maintain relative humidity at a reasonable level, minimize drafts, and minimize ammonia levels through the provision of ventilation via windows, vents, fans, or air conditioning.

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Although this is a repeat non-compliant item, the licensee was verbally instructed to correct this non-compliant item by 5:30 pm today.

This focused inspection was conducted by Katheryn Ziegerer, VMO, Jan Feldman, ACI, and the licensee at 2:10 pm.

An exit conference was conducted at the end of the inspection. The licensee was verbally informed to correct the direct non-compliant items by 5:30 pm on the day of the inspection.

Inspectors returned to the facility on the day of the inspection between 5:10 and 5:30 pm, on Friday at 4:45 pm, and on Saturday at 7:24 am to attempt to deliver the report in person. The licensee was unavailable on Thursday and Friday, and she refused access to the facility on Saturday.

Report was sent by certified and regular mail.

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Jun-19-2010

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## Inspection Report

SHERRIE ZUSPANN

Customer ID: 4333

Certificate: 43-A-0707

Site: 001

SHERRIE ZUSPANN

20597 POTTER RD

Type: ROUTINE INSPECTION

Date: Jun-15-2010

KIRKSVILLE, MO 63501

### 2.40 (a) (1)

#### ATTENDING VETERINARIAN AND ADEQUATE VETERINARY CARE (DEALERS AND EXHIBITORS).

Sec. 2.40 Attending veterinarian and adequate veterinary care (dealers and exhibitors). (a) Each dealer or exhibitor shall have an attending veterinarian who shall provide adequate veterinary care to its animals in compliance with this section. (1) Each dealer and exhibitor shall employ an attending veterinarian under formal arrangements. In the case of a part-time attending veterinarian or consultant arrangements, the formal arrangements shall include a written program of veterinary care and regularly scheduled visits to the premises of the dealer or exhibitor;

-The licensee had a written program of veterinary care (PVC) and a part time or consulting veterinarian. The documentation indicates that the attending veterinarian last visited the facility in October of 2008. The licensee must have this veterinarian make regularly scheduled visits to the premises to ensure the health and welfare of the animals, update the PVC as needed, and must document the visit as part of an adequate program of veterinary care. This affected all animals

To be corrected by July 13, 2010

### 2.40 (b) (2)

#### ATTENDING VETERINARIAN AND ADEQUATE VETERINARY CARE (DEALERS AND EXHIBITORS).

Sec. 2.40 Attending veterinarian and adequate veterinary care (dealers and exhibitors). (b) Each dealer or exhibitor shall establish and maintain programs of adequate veterinary care that include: (2) The use of appropriate methods to prevent, control, diagnose, and treat diseases and injuries, and the availability of emergency, weekend, and holiday care;

-There were several animals at the facility that required veterinary care.

Female adult dog (092 583 084) was missing most of both rear legs. The licensee stated that the dog had had these legs "chewed off" by her dam at birth. The left hind limb appeared well healed. However, the right hind limb had reddened tissue at the distal end and was moist. The licensee had no documentation that this abnormal appearing condition had been seen, diagnosed, or treated if needed by a veterinarian.

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## Inspection Report

Female adult dog (4A7F7253A) had overgrown nails, was observed walking abnormally on her front limbs, had brownish discharge from both ears with a strong odor, and was very thin. The nails were hooked and sharp and had not been trimmed when the dog was groomed. The dog's hip bones and spine were very prominent with no fat or fleshy covering. The licensee stated that this animal was not under any veterinary care.

Male adult dog (King Charles Cavalier with no ID) had a heavy, overgrown coat with matting. The matting was on the dog's back and by the ears. The hair was very long by the dog's feet and was getting dirty. Most of the dogs in the facility were trimmed.

Female adult dog (040 773 885) had yellowish green discharge from both eyes. The surfaces of the eyes were abnormally shaped and had areas that were darker colored and areas that were blueish gray in color. The licensee stated that the dog had been treated with gentamicin drops three times a day for one month under the advice of the veterinarian. There was no documentation of this treatment and the licensee was not able to find the gentamicin drops at time of inspection.

Female adult dog (King Charles Cavalier tri colored with no ID) had discharge from her right eye. The surface of the eye appeared roughened and had a blueish gray tint to it.

Adult dog (096 036 320) had hair loss on both ears as well as brownish colored discharge from both ears. There was also hair loss on her tail - the skin was visible. Although she was a white dog - her legs and feet were discolored reddish brown and wet appearing.

Adult Pug dog (038 602 119) had discharge on the left eye. It was goopy appearing. The licensee stated The licensee stated that the dog had been treated with gentamicin drops three times a day for three weeks under the advice of the veterinarian. This dog also had very long overgrown nails. The nails were hooking over and preventing the animal from standing normally on a solid surface. The toes were splaying and twisting.

Adult Pug dog (098 615 818) also had badly overgrown toenails. The dog's nails hooked over and would prevent the dog from standing normally and comfortably on solid surfaces.

The licensee must consult with a veterinarian on all of these animals. The licensee must keep written documentation on diagnosis, treatment, and observations. The licensee must ensure that an adequate and appropriate program of veterinary care is being followed for the health and well being of all animals including routine hair coat and toenail maintenance, ear cleaning, and other routine and emergency care.

This affected at least 8 adult animals.

To be corrected by June 22, 2010

-The licensee has "paramite dip as needed" and "ivomec monthly" listed on her written program of veterinary care. Neither of these items are labeled for use in dogs. The licensee must consult with the attending veterinarian and get specific dosages and directions for use if these "off label" items are to be

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## Inspection Report

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used for the regulated animals.  
This affected all animals  
To be corrected by July 13, 2010

-There was a large jar of "Puppy Booster" powder on top of a cabinet in the trailer building. The bottle was covered in dirt and cobwebs. This is a nutritional supplement for use in puppies. Although this was not currently in use at time of inspection, it was in the facility. The licensee must ensure that all medications and supplements are stored appropriately in accordance with the manufacturer's guidelines.  
This affected all animals  
To be corrected by June 22, 2010

### 2.50 (a) (1)

#### TIME AND METHOD OF IDENTIFICATION.

Sec. 2.50 Time and method of identification.(a) A class "A" dealer (breeder) shall identify all live dogs and cats on the premises as follows: (1) All live dogs and cats held on the premises, purchased, or otherwise acquired, sold or otherwise disposed of, or removed from the premises for delivery to a research facility or exhibitor or to another dealer, or for sale, through an auction sale or to any person for use as a pet, shall be identified by an official tag of the type described in Sec. 2.51 affixed to the animal's neck by means of a collar made of material generally considered acceptable to pet owners as a means of identifying their pet dogs or cats \2\, or shall be identified by a distinctive and legible tattoo marking acceptable to and approved by the Administrator.

-The licensee uses microchipping and a scanner as her primary and sole method of identification. There were 5 dogs at the facility that did not have microchips. These 5 dogs did not have any other form of identification - no collar, tags, or tattoos. The licensee must have all adult dogs identified at all times in accordance with this section, to ensure that the identity of each dog can be known with certainty, and to facilitate the record keeping requirements.  
This affected 5 adult dogs  
To be corrected by July 13, 2010

### 3.1 (a)

#### HOUSING FACILITIES, GENERAL.

Sec. 3.1 Housing facilities, general.(a) Structure; construction. Housing facilities for dogs and cats must be designed and constructed so that they are structurally sound. They must be kept in good repair, and they must protect the animals from injury, contain the animals securely, and restrict other animals from entering.

-There were two pens in the interior of the sundowner type building (right side, top row middle) where a support had come detached from the front of the pen. This was allowing the floor at the front edge of the pen to sag badly and created at least a one inch gap. There was waste material caught in this gap. The floor was moving up and down in this area from the dogs' movement.

-There was one pen seen in the interior of the sundowner type building (left side top row about middle) where the divider panel had cracked at the bottom in at least two spots. The fasteners were exposed and

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not holding the cracked plastic well.

-There is a "self watering" system in the interior of the sundowner type building. In an empty top pen, the pipe was cracked and leaking. The licensee had wrapped electrical tape around the leak but it was not an effective repair - water was still dripping quickly from the leak. This is the main source of water for the dogs on this side in the building.

The licensee must replace or repair all broken pens, support structures, walls, and pipes. All housing facilities must be maintained and kept in good repair to protect the animals from injury.

This affected at least 12 dogs in these pens

To be corrected by June 29, 2010

### 3.1 (b)

#### HOUSING FACILITIES, GENERAL.

Sec. 3.1 Housing facilities, general. (b) Condition and site. Housing facilities and areas used for storing animal food or bedding must be free of any accumulation of trash, waste material, junk, weeds, and other discarded materials. Animal areas inside of housing facilities must be kept neat and free of clutter, including equipment, furniture, and stored material, but may contain materials actually used and necessary for cleaning the area, and fixtures or equipment necessary for proper husbandry practices and research needs.

-The interior of the trailer housing area had a significant amount of clutter, trash, unused husbandry items, and waste. There were electrical cords hanging from outlets and cloth (possibly curtains) hanging from the same area - soiled and torn. There were old fans and heaters on a counter adjacent to a sink that is used for washing bowls. There were stacked storage tubs, unused feeders, old mops, stacks of paper, and other unidentifiable items. All surfaces were dirty and dusty. The top of a cabinet with a food supplement and a fire extinguisher in a torn cardboard box was covered in dead bugs, old hair, and cobwebs. The licensee also stored unopened sacks of food in this area. It was difficult to move in the interior of this building due to the clutter and closely placed caging.

-The interior of the sundowner type building was dirty and cluttered. There was a window ledge immediately to the right of the door. The ledge was covered with unidentifiable metal and plastic items. These items were covered in dust, dirt, and cobwebs. There was a portable heater and dehumidifier in the kennel aisle way. These items were not in use and were covered in dirt and dust.

The licensee must keep the interior of all housing facilities neat and free of clutter at all times to provide for the health and well being of the animals.

This affected all animals

To be corrected by June 29, 2010

### 3.1 (c) (1) (i)

#### HOUSING FACILITIES, GENERAL.

Sec. 3.1 Housing facilities, general. (c) Surfaces--(1) General requirements. (i) Be free of excessive rust that prevents the required cleaning and sanitization, or that affects the structural strength of the surface;

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## Inspection Report

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-There was a significant amount of rust on the support units for the stacked caging in the interior of the trailer building and on many of the enclosures as well. The rust on the support frames was heavy and very rough. The rust on the pens was also heavy and was rough enough to trap hair and cobwebs. The enclosure with the three cocker looking mixes had rusted, heavy gauge, metal slatted flooring. The licensee must replace or repair all rusted surfaces. Rust will affect structural strength and its rough surface traps dirt, hair, bacteria, and prevents adequate cleaning and disinfecting.

This affected all dogs in this building

To be corrected by July 13, 2010

### 3.1 (c) (3)

#### HOUSING FACILITIES, GENERAL.

Sec. 3.1 Housing facilities, general. (c) Surfaces-- (3) Cleaning. Hard surfaces with which the dogs or cats come in contact must be spot-cleaned daily and sanitized in accordance with Sec. 3.11(b) of this subpart to prevent accumulation of excreta and reduce disease hazards. All other surfaces of housing facilities must be cleaned and sanitized when necessary to satisfy generally accepted husbandry standards and practices. Sanitization may be done using any of the methods provided in Sec. 3.11(b)(3) for primary enclosures.

-The interior of the housing facilities, and the interiors of the pens were dirty. In the trailer building - the floor was soiled with dirt, grime, feces, and rodent droppings. The floor was also sticky. The ceiling was falling in and was very dirty and had brown colored water staining. There were cobwebs, and the visible insulation was dark and soiled. The walls of the interior of the building were dirty and stained. Horizontal surfaces had dirt, dead bugs, rodent droppings and dust on them. The interior of the pens had old fecal material in them - licensee stated that it had been at least since Sunday - 2 full days - since she had cleaned pens. The interior of the sundowner type building had dirty and grimy floors, walls, ceilings, and fixtures. The light fixtures were fly specked and dirty. The vent fans (one in the window and a small one by the door) were coated with a heavy layer of dust. There were feces, rodent droppings, spilled feed, and other excreta on the floor of this building. The interior walls and ceilings of many of the enclosures were soiled with yellow/brown matter. There was dried, white fecal material in the corners of several enclosures. The washdowns were coated with waste material, hair and dust. The licensee must keep all surfaces of housing facilities cleaned and sanitized for the health and well being of the animals.

This affected all animals

To be corrected by June 22, 2010

### 3.1 (e)

#### HOUSING FACILITIES, GENERAL.

Sec. 3.1 Housing facilities, general.(e) Storage. Supplies of food and bedding must be stored in a manner that protects the supplies from spoilage, contamination, and vermin infestation. The supplies must be stored off the floor and away from the walls, to allow cleaning underneath and around the supplies. Foods requiring refrigeration must be stored accordingly, and all food must be stored in a manner that prevents contamination and deterioration of its nutritive value. All open supplies of food and bedding must be kept in leakproof containers with tightly fitting lids to prevent contamination and spoilage. Only food and bedding that is currently being used may be kept in the animal areas. Substances that are toxic to the

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dogs or cats but are required for normal husbandry practices must not be stored in food storage and preparation areas, but may be stored in cabinets in the animal areas.

-The licensee is storing unopened bags of feed in the interior of the trailer building. It seemed to be up on a low pallet - but it is being stored in the same area where dogs are being housed. This area is full of clutter and is very dirty. There is also evidence of rodent infestation in this area - a dead mouse was seen adjacent to the food storage area. The food was stored in such a way that prevented cleaning underneath and around the supplies - it was adjacent to a wall and to a cluttered area that did not allow access. There were also cans of bug spray sitting on the counter adjacent to a sink which appears to be used for cleaning food and water bowls. There were feed bowls stacked in this area. Only food and bedding that is currently being used may be kept in the animal areas. Substances that are toxic to the dogs but are required for normal husbandry practices must not be stored in food storage and preparation areas, but may be stored in cabinets in the animal areas.

This affected all animals

To be corrected by June 22, 2010

### 3.2 (b) DIRECT NCI

#### INDOOR HOUSING FACILITIES.

Sec. 3.2 Indoor housing facilities. (b) Ventilation. Indoor housing facilities for dogs and cats must be sufficiently ventilated at all times when dogs or cats are present to provide for their health and well-being, and to minimize odors, drafts, ammonia levels, and moisture condensation. Ventilation must be provided by windows, vents, fans, or air conditioning. Auxiliary ventilation, such as fans, blowers, or air conditioning must be provided when the ambient temperature is 85 [deg]F (29.5 [deg]C) or higher. The relative humidity must be maintained at a level that ensures the health and well-being of the dogs or cats housed therein, in accordance with the directions of the attending veterinarian and generally accepted professional and husbandry practices.

-The temperature and humidity levels in the interiors of the two buildings housing dogs was extremely high. Both inspectors were very uncomfortable. The dogs were panting heavily. The lens of the camera was steaming over. In the trailer building - the humidity was measured at 87%. The temperature was 83.2 to 83.3 degrees F. The heat index was measured at 95.5 degrees F. These measurements were taken several times during the inspection and were recorded immediately prior to leaving the building. There was a small fan heard - but there no air was felt moving in the building. There was an air conditioner in the building but it was off and unplugged. The licensee stated that she used it only at night. The windows were closed and the door was also closed. The interior of the sundowner type building was also excessively uncomfortable with high heat and very high humidity levels. The dogs were panting heavily and staying near the front of the enclosures (only open part of the enclosures). One dog was seen pawing and digging at the front edge of the enclosure. Almost all of the dogs were panting heavily during the inspection. Several of these dogs were holding their mouths open very widely with their tongues extended far out their mouths. The temperature in the interior of this building was measured at 80.4 degrees F. The relative humidity was measured at 90%. The heat index was measured at 93.6 degrees F. There was a dehumidifier in this building but it was not on. It had a heavy layer of dust and did not appear to have been used recently. There was a small double fan in the back window. It was on and covered with a heavy layer of dust. Very little air was felt moving. The front door was initially closed but was open during the

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inspection. There was a screen on the door that was cracked open several inches. It was slightly cooler immediately by the door but the temperature and humidity levels in the building and by the dog enclosures was extreme. There was an extremely strong odor in both housing buildings. This odor was ammonia, waste, musty and overwhelming upon immediate entry into the buildings. This high heat index, humidity level, and odor in the buildings was causing obvious discomfort to the animals and can certainly contribute to significant health problems for the animals.

This affected all animals

The licensee was verbally instructed to correct this by close of business June 16, 2010

### 3.2 (c)

#### INDOOR HOUSING FACILITIES.

Sec. 3.2 Indoor housing facilities. (c) Lighting. Indoor housing facilities for dogs and cats must be lighted well enough to permit routine inspection and cleaning of the facility, and observation of the dogs and cats. Animal areas must be provided a regular diurnal lighting cycle of either natural or artificial light. Lighting must be uniformly diffused throughout animal facilities and provide sufficient illumination to aid in maintaining good housekeeping practices, adequate cleaning, adequate inspection of animals, and for the well-being of the animals. Primary enclosures must be placed so as to protect the dogs and cats from excessive light.

-The interior of both housing buildings was dark. The lights in the interior of the trailer building were off when the inspectors entered the building. It was afternoon. There were several windows but the area was heavily shaded and the light getting in was not bright enough to easily visualize the animals. Even with the lights turned on, it was not a uniform, diffuse lighting. The lights were off as well in the interior of the sundowner type building. There were two fluorescent light fixtures but only one was working. there were two windows but they were dusty and not much light was getting in. The interior of the pens were very dark and it was very difficult to see into the pens. There was no even and uniformly diffuse light in the interior of the building or the pens. Lighting must be uniformly diffused throughout animal facilities and provide sufficient illumination to aid in maintaining good housekeeping practices, adequate cleaning, adequate inspection of animals, and for the well-being of the animals.

This affected all animals

To be corrected by June 22, 2010

### 3.2 (d)

#### INDOOR HOUSING FACILITIES.

Sec. 3.2 Indoor housing facilities. (d) Interior surfaces. The floors and walls of indoor housing facilities, and any other surfaces in contact with the animals, must be impervious to moisture. The ceilings of indoor housing facilities must be impervious to moisture or be replaceable (e.g., a suspended ceiling with replaceable panels).

-The floors, walls, and ceilings in the interior of the trailer building were not impervious to moisture. The wood floor was dirty and sticky. It may have been covered with a flooring material at some point but much of that had peeled away. The ceiling was a household fiber like material. It was falling in over the enclosures. It was badly stained. The licensee stated that the roof had leaked recently but some of the staining appeared old as well as new. This surface was porous and not impervious to moisture. The walls

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Jun-17-2010





## Inspection Report

were old, appeared to be covered in wallpaper and had stains. There were seams and cracks in the walls. The back wall appeared to be wood paneling with seams and areas that were bulging away from the studs. This surface was cracked and curling in some areas. All surfaces in the interior of this indoor housing facility must be impervious to moisture or be replaceable (e.g., a suspended ceiling with replaceable panels) to allow for cleaning and disinfecting. This affected all animals in the building.

To be corrected by July 13, 2010

### 3.6 (c) (1) (i)

#### PRIMARY ENCLOSURES.

Sec. 3.6 Primary enclosures. (c) Additional requirements for dogs--(1) Space. (i) Each dog housed in a primary enclosure (including weaned puppies) must be provided a minimum amount of floor space, calculated as follows: Find the mathematical square of the sum of the length of the dog in inches (measured from the tip of its nose to the base of its tail) plus 6 inches; then divide the product by 144. The calculation is: (length of dog in inches + 6) x (length of dog in inches + 6) = required floor space in square inches. Required floor space in inches/144 = required floor space in square feet.

-The licensee had inadequate floor space in the vast majority of the primary enclosures in both buildings

All of the enclosures except three in the trailer house measured 2' x 4' providing 8 square feet of floor space; One pen measured 4' x 4' providing 16 square feet. One pen measured 3' x 18.5 inches providing 4.63 feet of floor space (this small pen did provide minimum floor space for the dog). There were two round bowls in each of the pens. The licensees agreed that the bowls were on average 10 inches in diameter. These bowls took up 1.1 square feet of available and usable floor space for the dogs.

Of the 10 pens (occupied) measuring 2' x 4' which provided 6.9 square feet of available and usable floor space, 8 did not meet the minimum floor space required: (note - pen numbers were sequentially assigned by the inspectors in the order that the enclosures were inspected)

Pen 1 had 2 dogs measured at 17" and 19" and the dogs required 8.01 square feet  
Pen 2 had 2 dogs measured at 18" and 19" and the dogs required 8.34 square feet  
Pen 4 had 3 dogs measured at 17", 14" and 14" and the dogs required 9.23 square feet  
Pen 5 had 2 dogs measured at 19" and 19" and the dogs required 8.68 square feet  
Pen 7 had 3 dogs measured at 14", 15" and 14" and the dogs required 8.62 square feet  
Pen 8 had 2 dogs measured at 16" and 19" and the dogs required 7.79 square feet  
Pen 9 had 2 dogs measured at 20" and 19" and the dogs required 9.12 square feet  
Pen 11 had 2 dogs measured at 20" and 19" and the dogs required 9.12 square feet

The largest pen (12) measured 16 square feet. Taking the feed and water pans into account, this pen provided 14.9 square feet of available and usable square feet for the three dogs in the pen.

Pen 12 had 3 dogs measured at 24", 22", and 18" and the dogs required 15.69 square feet

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## Inspection Report

All of the enclosures in the sundowner type building were the same size - measured at 27" x 271/2". This size enclosure provided 5.16 square feet of floor space. The feeder were the red self feeders and took up very little floor space and there were water bowls in only a few pens.

Of the 25 occupied enclosures, two with singly housed dogs had adequate, minimum floor space. (note - pen numbers were sequentially assigned by the inspectors in the order that the enclosures were inspected)

Pen 1 had 2 dogs measured at 16" and 14" and the dogs required 6.14 square feet.  
Pen 2 had 2 dogs measured at 20" and 18" and the dogs required 8.69 square feet.  
Pen 3 had 2 dogs measured at 19" and 22" and the dogs required 9.78 square feet.  
Pen 4 had 2 dogs measured at 24" and 20" and the dogs required 9.75 square feet.  
Pen 5 had 1 dog measured at 24" and the dog required 6.25 square feet.  
Pen 6 had 2 dogs measured at 20" and 21" and the dogs required 9.75 square feet.  
Pen 7 had 2 dogs measured at 19" and 24" and the dogs required 10.59 square feet.  
Pen 8 had 2 dogs measured at 21" and 20" and the dogs required 9.75 square feet.  
Pen 10 had 2 dogs measured at 21" and 21" and the dogs required 10.12 square feet.  
Pen 11 had 2 dogs measured at 20" and 20" and the dogs required 9.38 square feet.  
Pen 13 had 2 dogs measured at 19" and 20" and the dogs required 9.08 square feet.  
Pen 14 had 2 dogs measured at 24" and 18" and the dogs required 10.25 square feet.  
Pen 16 had 2 dogs measured at 18" and 20" and the dogs required 9.03 square feet.  
Pen 17 had 3 dogs measured at 16" and 16" and 17" and the dogs required 10.39 square feet.  
Pen 18 had 2 dogs measured at 18" and 21" and the dogs required 9.06 square feet.  
Pen 19 had 2 dogs measured at 20" and 20" and the dogs required 9.38 square feet.  
Pen 20 had 3 dogs measured at 17" and 14" and 12" and the dogs required 8.70 square feet.  
Pen 21 had 2 dogs measured at 21" and 20" and the dogs required 9.75 square feet.  
Pen 22 had 2 dogs measured at 18" and 17" and the dogs required 7.67 square feet.  
Pen 25 had 2 dogs measured at 20" and 20" and the dogs required 9.38 square feet.  
Pen 26 had 2 dogs measured at 18" and 21" and the dogs required 9.06 square feet.  
Pen 28 had 2 dogs measured at 20" and 21" and the dogs required 9.75 square feet.  
Pen 29 had 1 dogs measured at 22" and the dog required 5.44 square feet.

-The licensee must ensure that all dogs in all enclosures have no less than the minimum amount of required floor space at all times.

This affected 67 adult dogs

To be corrected by June 29, 2010

### 3.6 (c) (1) (iii)

#### PRIMARY ENCLOSURES.

Sec. 3.6 Primary enclosures. (c) Additional requirements for dogs--(1) Space. (iii) The interior height of a primary enclosure must be at least 6 inches higher than the head of the tallest dog in the enclosure when it is in a normal standing position:

-Most of the enclosures in the trailer house building had inadequate headspace for the dogs. Out of the 12 enclosures housing dogs, there were 9 enclosures that had less than 6" of head space for the dogs.

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Jun-17-2010



## Inspection Report

Sixteen dogs in these 9 enclosures had between 2" to 5" of head room when standing in a normal position. The average amount of head space was 3.9". The licensee must ensure that the interior height of any enclosure must be at least 6 inches higher than the head of the tallest dog in the enclosure when it is standing normally.

This affected 16 adult dogs

To be corrected by June 29, 2010

### 3.8 (a)

#### EXERCISE FOR DOGS.

Sec. 3.8 Exercise for dogs. (a) Dogs housed individually. Dogs over 12 weeks of age, except bitches with litters, housed, held, or maintained by any dealer, exhibitor, or research facility, including Federal research facilities, must be provided the opportunity for exercise regularly if they are kept individually in cages, pens, or runs that provide less than two times the required floor space for that dog, as indicated by Sec. 3.6(c)(1) of this subpart.

-The licensee had dogs housed individually in enclosures in both the trailer house building and the sundowner type building. The dogs in these pens did not have twice the minimum amount of floor space as required by this section in order to provide them the opportunity for exercise. The licensee's out of date written program of exercise - the only written program available at time of inspection - stated that she would provide no less than twice the minimum floor space required.

In the trailer house building there were two dogs housed in 2' x 4' square enclosures. These pens, minus the space taken up by the food and water bowls, provided 6.9 square feet of available and usable floor space. One dog that was measured required 6.72 square feet so just barely met minimum. However:

Pen 10 had 1 dog measured at 17" and the dog required 7.34 square feet for exercise

In the sundowner type building, there were four pens with individually housed animals. None of these pens provided twice the minimum floor space required for exercise. The floor space available to the dogs in this building was 5.16 square feet

Pen 5 had 1 dog measured at 24" and the dog required 12.50 square feet for exercise

Pen 12 had 1 dog measured at 21" and the dog required 10.12 square feet for exercise

Pen 27 had 1 dogs measured at 17" and the dog required 7.34 square feet for exercise

Pen 29 had 1 dog measured at 22" and the dog required 10.88 square feet for exercise

The licensee must ensure that all dogs housed individually in any enclosure must have no less than twice the minimum floor space as required for exercise.

This affected 5 adult dogs

To be corrected by June 29, 2010

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USDA, APHIS, Animal Care

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Jun-17-2010





## Inspection Report

### 3.8 (b)

#### EXERCISE FOR DOGS.

Sec. 3.8 Exercise for dogs. (b) Dogs housed in groups. Dogs over 12 weeks of age housed, held, or maintained in groups by any dealer, exhibitor, or research facility, including Federal research facilities, do not require additional opportunity for exercise regularly if they are maintained in cages, pens, or runs that provide in total at least 100 percent of the required space for each dog if maintained separately. Such animals may be maintained in compatible groups.

-The licensee had dogs group housed in enclosures in both the trailer house building and the sundowner type building. The dogs in these pens did not have at least the minimum amount of floor space for each dog as required by this section in order to provide them the opportunity for exercise. The licensee's out of date written program of exercise - the only written program available at time of inspection - stated that she would provide no less 100 percent of the floor space required for each dog.

All of the enclosures except three in the trailer house measured 2' x 4' providing 8 square feet of floor space; One pen measured 4' x 4' providing 16 square feet. There were two round bowls in each of the pens. The licensees agreed that the bowls were on average 10 inches in diameter. These bowls took up 1.1 square feet of available and usable floor space for the dogs.

Of the 10 pens (occupied) measuring 2' x 4' which provided 6.9 square feet of available and usable floor space, 8 did not meet the minimum floor space required: (note - pen numbers were sequentially assigned by the inspectors in the order that the enclosures were inspected)

Pen 1 had 2 dogs measured at 17" and 19" and the dogs required 8.01 square feet for exercise  
Pen 2 had 2 dogs measured at 18" and 19" and the dogs required 8.34 square feet for exercise  
Pen 4 had 3 dogs measured at 17", 14" and 14" and the dogs required 9.23 square feet for exercise  
Pen 5 had 2 dogs measured at 19" and 19" and the dogs required 8.68 square feet for exercise  
Pen 7 had 3 dogs measured at 14", 15" and 14" and the dogs required 8.62 square feet for exercise  
Pen 8 had 2 dogs measured at 16" and 19" and the dogs required 7.79 square feet for exercise  
Pen 9 had 2 dogs measured at 20" and 19" and the dogs required 9.12 square feet for exercise  
Pen 11 had 2 dogs measured at 20" and 19" and the dogs required 9.12 square feet for exercise

The largest pen (12) measured 16 square feet. Taking the feed and water pans into account, this pen provided 14.9 square feet of available and usable square feet for the three dogs in the pen.

Pen 12 had 3 dogs measured at 24", 22", and 18" and the dogs required 15.69 square feet for exercise

All of the enclosures in the sundowner type building were the same size - measured at 27" x 27 1/2". This size enclosure provided 5.16 square feet of floor space. The feeder were the red self feeders and took up very little floor space and there were water bowls in only a few pens.

Of the 25 occupied enclosures, two had individually housed dogs. The rest had 2 to 3 adult dogs. The floor space in these pens did not meet the minimum required for exercise.

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Jun-17-2010



## Inspection Report

Pen 1 had 2 dogs measured at 16" and 14" and the dogs required 6.14 square feet for exercise  
Pen 2 had 2 dogs measured at 20" and 18" and the dogs required 8.69 square feet for exercise  
Pen 3 had 2 dogs measured at 19" and 22" and the dogs required 9.78 square feet for exercise  
Pen 4 had 2 dogs measured at 24" and 20" and the dogs required 9.75 square feet for exercise  
Pen 6 had 2 dogs measured at 20" and 21" and the dogs required 9.75 square feet for exercise  
Pen 7 had 2 dogs measured at 19" and 24" and the dogs required 10.59 square feet for exercise  
Pen 8 had 2 dogs measured at 21" and 20" and the dogs required 9.75 square feet for exercise  
Pen 10 had 2 dogs measured at 21" and 21" and the dogs required 10.12 square feet for exercise  
Pen 11 had 2 dogs measured at 20" and 20" and the dogs required 9.38 square feet for exercise  
Pen 13 had 2 dogs measured at 19" and 20" and the dogs required 9.08 square feet for exercise  
Pen 14 had 2 dogs measured at 24" and 18" and the dogs required 10.25 square feet for exercise  
Pen 16 had 2 dogs measured at 18" and 20" and the dogs required 9.03 square feet for exercise  
Pen 17 had 3 dogs measured at 16" and 16" and 17" and the dogs required 10.39 square feet for exercise  
Pen 18 had 2 dogs measured at 18" and 21" and the dogs required 9.06 square feet for exercise  
Pen 19 had 2 dogs measured at 20" and 20" and the dogs required 9.38 square feet for exercise  
Pen 20 had 3 dogs measured at 17" and 14" and 12" and the dogs required 8.70 square feet for exercise  
Pen 21 had 2 dogs measured at 21" and 20" and the dogs required 9.75 square feet for exercise  
Pen 22 had 2 dogs measured at 18" and 17" and the dogs required 7.67 square feet for exercise  
Pen 25 had 2 dogs measured at 20" and 20" and the dogs required 9.38 square feet for exercise  
Pen 26 had 2 dogs measured at 18" and 21" and the dogs required 9.06 square feet for exercise  
Pen 28 had 2 dogs measured at 20" and 21" and the dogs required 9.75 square feet for exercise

The licensee must ensure that all dogs that are grouped housed meet the minimum required floor space for exercise. The animals must have at least 100% of each dogs' required floor space at all times.

This affected approximately 66 adult dogs

To be corrected by June 29, 2010

### 3.8

#### EXERCISE FOR DOGS.

Sec. 3.8 Exercise for dogs. Dealers, exhibitors, and research facilities must develop, document, and follow an appropriate plan to provide dogs with the opportunity for exercise. In addition, the plan must be approved by the attending veterinarian. The plan must include written standard procedures to be followed in providing the opportunity for exercise. The plan must be made available to APHIS upon request, and, in the case of research facilities, to officials of any pertinent funding Federal agency. The plan, at a minimum, must comply with each of the following:

-The licensee was able to produce a written exercise plan. However, the licensee has a different attending veterinarian at this time. The exercise program states that group housed adult dogs will receive at least 100 percent of required floor space. It also states that singly housed dogs will receive no less than twice their minimum floor space as required. However, the dogs are housed in enclosures that do not provide minimum floor space for group housed dogs and do not provide for twice minimum for singly housed dogs. The licensee must consult with the current attending veterinarian and develop, implement, continue, and document an exercise plan that meets the requirements of this section to provide for the health and well being of the animals.

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## Inspection Report

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This affected all animals  
To be corrected by July 15, 2010

### 3.10

#### **WATERING.**

Sec. 3.10 Watering. If potable water is not continually available to the dogs and cats, it must be offered to the dogs and cats as often as necessary to ensure their health and well-being, but not less than twice daily for at least 1 hour each time, unless restricted by the attending veterinarian. Water receptacles must be kept clean and sanitized in accordance with Sec. 3.11(b) of this subpart, and before being used to water a different dog or cat or social grouping of dogs or cats.

-In the trailer house building - there was one pen with three juvenile cocker spaniel appearing mixes. The crock for water was empty, dry, and had brown matter caked to the bottom. The licensee stated that she waters daily and that these young dogs just spilled their water. However, water bowls must be kept clean and sanitized and potable water must be available to the dogs no less than twice daily for at least one hour each time.

This affected 3 dogs  
To be corrected by June 17, 2010

### 3.11 (a)

#### **CLEANING, SANITIZATION, HOUSEKEEPING, AND PEST CONTROL.**

Sec. 3.11 Cleaning, sanitization, housekeeping, and pest control.(a) Cleaning of primary enclosures. Excreta and food waste must be removed from primary enclosures daily, and from under primary enclosures as often as necessary to prevent an excessive accumulation of feces and food waste, to prevent soiling of the dogs or cats contained in the primary enclosures, and to reduce disease hazards, insects, pests and odors. When steam or water is used to clean the primary enclosure, whether by hosing, flushing, or other methods, dogs and cats must be removed, unless the enclosure is large enough to ensure the animals would not be harmed, wetted, or distressed in the process. Standing water must be removed from the primary enclosure and animals in other primary enclosures must be protected from being contaminated with water and other wastes during the cleaning. The pans under primary enclosures with grill-type floors and the ground areas under raised runs with mesh or slatted floors must be cleaned as often as necessary to prevent accumulation of feces and food waste and to reduce disease hazards pests, insects and odors.

-The primary enclosures, the pans under the enclosures, and the washdowns under the enclosures were dirty and had more than one day's worth of waste and fecal material in them. The stacked cages in the trailer house building had trays under and in between the enclosures to collect waste. The licensee had newspaper on the trays. The licensee stated it had been at least two days (since Sunday) since the pens had been cleaned. There was an extremely strong odor of ammonia and waste in the building. In several pens, there were large amounts of fecal material on the wire flooring. Under the pen with the three younger mix breed dogs, the newspaper was brown with waste. There was hair and dust under the pens' wire flooring. In the sundowner type building, there was dried waste material - some of it white - in the back corners of several of the enclosures. There was an excessive amount of hair, fecal material, and food

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Jun-17-2010

Title:





## Inspection Report

waste on the washdowns under all of the enclosures in this building. There was a strong odor of ammonia and fecal waste in this building. The licensee must clean all primary enclosures on a daily basis to remove feces and food waste and must clean under all primary enclosures on a more frequent basis to prevent accumulation of feces and food waste and to reduce disease hazards pests, insects and odors.

This affected all animals

To be corrected by June 17, 2010

### 3.11 (c)

#### CLEANING, SANITIZATION, HOUSEKEEPING, AND PEST CONTROL.

Sec. 3.11 Cleaning, sanitization, housekeeping, and pest control. (c) Housekeeping for premises. Premises where housing facilities are located, including buildings and surrounding grounds, must be kept clean and in good repair to protect the animals from injury, to facilitate the husbandry practices required in this subpart, and to reduce or eliminate breeding and living areas for rodents and other pests and vermin. Premises must be kept free of accumulations of trash, junk, waste products, and discarded matter. Weeds, grasses, and bushes must be controlled so as to facilitate cleaning of the premises and pest control, and to protect the health and well-being of the animals.

-The areas in between and around the kennel buildings were cluttered with old items - old playground equipment that had not been used in a very long time, pallets, old air conditioner, unused roll of vinyl coated wire. The grasses and weeds were very tall around the buildings and immediately adjacent to the buildings. There was an old kennel building in between the trailer house building and the sundowner type building that was not in use and appeared to have been empty for months. The licensee had a rodent problem in the facility. Premises must be kept free of accumulations of trash, junk, waste products, and discarded matter. Weeds, grasses, and bushes must be controlled so as to facilitate cleaning of the premises and pest control, and to protect the health and well-being of the animals.

This affected all animals

To be corrected by July 13, 2010

### 3.11 (d)

#### CLEANING, SANITIZATION, HOUSEKEEPING, AND PEST CONTROL.

Sec. 3.11 Cleaning, sanitization, housekeeping, and pest control.(d) Pest control. An effective program for the control of insects, external parasites affecting dogs and cats, and birds and mammals that are pests, must be established and maintained so as to promote the health and well-being of the animals and reduce contamination by pests in animal areas.

-There was an obvious rodent problem in both buildings at the facility. There was a dead mouse seen in the trailer house building. There were rodent droppings on the counter surfaces and the floors of this building. There were rodent droppings on the washdowns and the floors of the sundowner type building. The licensee stated that she had bait out. None was seen and no stored supplies of bait was seen. The grounds around the facility are cluttered and have tall grasses and weeds which create harbor for vermin. The interior of the buildings - particularly the trailer house building - are also cluttered and dirty which created more harbor for vermin. Mice and other rodents can carry and transmit diseases to the animals. The licensee must have a safe and effective method of pest control in place at all times to promote the health and well-being of the animals and reduce contamination by pests in animal areas.

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Jun-17-2010

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(b)(6),(b)(7)(c)

Date:  
Jun-17-2010

Title:



## Inspection Report

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This affected all animals  
To be corrected by June 29, 2010

### 3.12

#### EMPLOYEES.

Sec. 3.12 Employees. Each person subject to the Animal Welfare regulations (9 CFR parts 1, 2, and 3) maintaining dogs and cats must have enough employees to carry out the level of husbandry practices and care required in this subpart. The employees who provide for husbandry and care, or handle animals, must be supervised by an individual who has the knowledge, background, and experience in proper husbandry and care of dogs and cats to supervise others. The employer must be certain that the supervisor and other employees can perform to these standards.

-The facility does not have enough employees present to maintain all of the dogs to the level of husbandry practices and care required in this subpart as illustrated by the numerous areas of non-compliance that was present. There were non-compliances seen in cleaning of primary enclosures, veterinary care, housekeeping of premises - both inside and outside of buildings, rodent control, ventilation, physical maintenance of pens and buildings, and cage size for the animals. The licensee must ensure that there are enough employees to carry out the level of husbandry practices and care required in this subpart.

This affected all animals  
To be corrected by July 13, 2010

This inspection was conducted by Jan Feldman, ACI, Katheryn Ziegerer, VMO, and the licensee on June 15, 2010. A short exit briefing to discuss the direct non-compliant item was done the same day following the inspection. A complete exit briefing was conducted on June 17, 2010 by the same parties.

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**Prepared By:**

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Title: ANIMAL CARE INSPECTOR      Inspector 4039

**Date:**  
Jun-17-2010

**Received By:**

(b)(6), (b)(7)(c)

**Date:**  
Jun-17-2010

Title:



## Inspection Report

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SHERRIE ZUSPANN

Customer ID: **4333**

Certificate: **43-A-0707**

20597 POTTER RD

Site: 001

SHERRIE ZUSPANN

Type: ROUTINE INSPECTION

KIRKSVILLE, MO 63501

Date: Dec-09-2008

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No non compliant items found this inspection.

Inspection conducted with licensee and Angela DePoe, ACI.

This is a transcribed copy of the original inspection report.

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**Prepared By:**

ANGELA M DEPOE, A.C.I.      USDA, APHIS, Animal Care

**Title:**      ANIMAL CARE INSPECTOR      Inspector 5050

**Date:**

Jun-29-2009

**Received By:**

(b)(6),(b)(7)(c)

**Date:**

Jun-29-2009

**Title:**